

UNITED STATES DISTRICT COURT

for the

Central District of Illinois

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

}

Information associated with AOL account

}

pastorlcj@aol.com further described in Attachment A
which is attached hereto and incorporated herein

)

Case No. 19-MJ-

APR 24 2019
CLERK OF THE COURT
U.S. DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
7084

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location): Information associated with AOL account pastorlcj@aol.com further described in Attachment A which is attached hereto and incorporated herein

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
 contraband, fruits of crime, or other items illegally possessed;
 property designed for use, intended for use, or used in committing a crime;
 a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18:1343

Offense Description
Wire fraud

The application is based on these facts:

See attached affidavit.

- Continued on the attached sheet.
 Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

s/Mack Walker

[Signature]
Applicant's signature

Mack Walker, Special Agent, HUD

Printed name and title

Sworn to before me and signed in my presence.

[Signature]
s/Eric I Long

Date: 04/24/2019

[Signature]
Judge's signature

City and state: Urbana, Illinois

Eric I. Long

Printed name and title

AFFIDAVIT

I, Mack Walker, being duly sworn, state as follows:

1. I am a Special Agent with the United States Department of Housing and Urban Development, Office of Inspector General. I have been so employed for approximately 16 years.

2. As part of my duties as a HUD-OIG Special Agent, I investigate criminal violations relating to white collar crimes, including mail, wire, and bank fraud. I have participated in the execution of multiple federal search warrants. This affidavit is made in support of an application for warrant to search, pursuant to 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), for information associated with certain accounts that are stored at the premises owned, maintained, controlled, or operated by AOL, a free web-based electronic mail service provider located at 1065 La Avenida, Building 4, Mountain View, California 94043. The account to be searched is pastorlcj@aol.com (**Subject Account**). The accounts are further described in the following paragraphs of Attachment A to this affidavit. As set forth below, there is probable cause to believe that in the account described in Attachment A to this affidavit, in the possession of AOL, there exists evidence of violations of Title 18, United States Code, Section 1343 (Wire Fraud), as more fully set forth in Attachment B.

3. The statements in this affidavit are based on my personal knowledge, and on information I have received from other law enforcement personnel and from persons

with knowledge regarding relevant facts. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are sufficient to establish probable cause to believe that evidence of violations of Title 18, United States Code, Section 1343 are located in **Subject Account**.

Background Information

4. Based on my training and experience, I have learned the following about AOL:
 - a. AOL is an email service provided by AOL which is available to Internet users. Subscribers obtain an account by registering on the Internet with AOL. AOL requests subscribers to provide basic information, such as name, gender, zip code, and other personal/biographical information;
 - b. AOL maintains electronic records pertaining to the individuals and companies for which they maintain subscriber accounts. These records often include account access information, email transaction information, and account application information;
 - c. Any email that is sent to an AOL subscriber is stored in the subscriber's "mail box" on AOL's servers until the subscriber deletes the email or the subscriber's mailbox exceeds the storage limits preset by AOL. If the message is not deleted by the subscriber, the account is below the maximum storage limit, and the

subscriber accesses the account periodically, that message can remain on AOL's servers indefinitely;

d. When the subscriber sends an email, it is initiated by the user, transferred via the Internet to AOL's servers, and then transmitted to its end destination. AOL users have the option of saving a copy of the email sent. Unless the sender of the email specifically deletes the email from the AOL server, the email can remain on the system indefinitely;

e. An AOL subscriber can store files, including emails and image files, on servers maintained and/or owned by AOL.

**Facts Supporting Probable Cause To
Search The Subject Accounts**

5. In October 2017, I began investigating the alleged misuse of federal grant funds by LEKEVIE C. JOHNSON, SR. (hereinafter "JOHNSON"). Also assisting in the investigation is Special Agent (SA) Andrew Huckstadt of the Champaign Resident Agency of the Federal Bureau of Investigation.

6. JOHNSON is the head pastor of Jericho Missionary Baptist Church located at 1601 W. Bloomington Road, Champaign, Illinois 61821. He is also the head and registered agent of a non-profit organization called Life Line Champaign, Inc. (hereinafter "Life Line Champaign"), which operates out of the church and shares the same address. Since 2011, Life Line Champaign has received approximately \$128,941 in

federal grant money to operate a summer camp for underprivileged youth in the Champaign area.

7. In the summer of 2017, Champaign Police Department (CPD) Detective Patrick Kelly received information that JOHNSON was withdrawing funds from Automatic Teller Machines (ATMs) at various casino locations around the country, specifically out of the "Life Line Champaign" account and "Jericho Missionary Baptist Pastoral Account" at Bank Champaign. A review of subpoena results from Bank Champaign revealed approximately \$6,112.53 in ATM style withdrawals and debit card transactions at various casinos from the "Life Line Champaign" account during the time period of June 2017 to July 2017. In addition, from May 2017 to July 2017, there were approximately \$8,352.75 in ATM style withdrawals and debit card transactions at various casinos from the "Jericho Missionary Baptist Pastoral Account" based on subpoena results from Bank Champaign.

8. As part of his initial investigation, CPD Detective Kelly also obtained Life Line Champaign grant documents maintained by the City of Champaign since 2011. The City of Champaign applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, and Life Line Champaign was a subrecipient of a portion of those funds pursuant to signed agreements between the City of Champaign and Life Line Champaign.

9. A review of the grant documents confirmed JOHNSON's involvement in the acquisition of federal funds for Life Line Champaign, as well as specific language in the signed agreements prohibiting the improper use of grant funds.

10. After his initial investigation, Detective Kelly referred the investigation to HUD-OIG. I began working the investigation with SA Huckstadt at the end of October 2017. Upon starting the investigation, I reviewed the aforementioned financial records and grant documents obtained by Detective Kelly, which revealed apparent fraudulent activities by JOHNSON at multiple casinos throughout the country from May 15, 2017, to July 31, 2017. I counted a total of 73 ATM style withdrawals and debit card transactions from the noted accounts at Bank Champaign during that time period, 35 of which were associated with "Life Line Champaign" account specifically.

11. Based on my training and experience in fraud investigations, individuals that regularly frequent casinos obtain players club cards to obtain benefits for gambling and casino play. Evidence obtained thus far indicate **Subject Account** was utilized by JOHNSON to register for players club cards and hotel stays at casinos where some of the aforementioned ATM withdrawals were made. **Subject Account** was used to register at the Ameristar Casino, St. Charles, Missouri, for several stays in 2017. **Subject Account** was used to register at the Gold Strike Resort and Casino, Tunica, Mississippi, for numerous visits from 2015 through 2017. **Subject Account** was used to register at River City Casino Hotel, St. Louis, Missouri, during numerous visits in 2017.

12. Based on my training and experience in fraud investigations, grant recipients are required to contact grant administrators regularly to maintain receiving grant funds. Records obtained from the City of Champaign show **Subject Account** was used to communicate with grant administrators at the City of Champaign. These communications were necessary for Lifeline Champaign to continue to receive grant funds and for grant administrators to monitor and communicate with Lifeline Champaign.

13. Evidence obtained thus far revealed that JOHNSON used **Subject Account** to communicate with representatives from City of Champaign, Neighborhood Services. On December 20, 2013, **Subject Account** received an email from Kerri Spear (SPEAR), Neighborhood Programs Manager, in which SPEAR provided documents related to United States Department of Housing and Urban Development checklist for subrecipient monitoring. On July 19, 2013, **Subject Account** received a communication from SPEAR. In the communication, SPEAR stated she was unable to locate Life Line Champaign in the federal debarred contractor list. This communication continued between **Subject Account** and SPEAR for several days, and there was no resolution. On May 1, 2014, **Subject Account** was used to contact SPEAR. In the communication, Johnson requested \$4,000 in extra grant funds to serve more kids in the summer program. On June 30, 2017, **Subject Account** received a communication from Janel Gomez (GOMEZ), Community Development Specialist, regarding a check waiting for JOHNSON at the front desk. On June 29, 2017, GOMEZ sent a communication to

Subject Account requesting Lifeline Champaign to maintain a reserve in funds to avoid any delays in payment going forward.

14. Based on my training and experience in fraud investigations, I believe that a search of email provider account contents often yield investigative leads relating to:
- a. the identities of co-conspirators and other individuals engaged in wire and financial institution fraud offenses;
 - b. the contact information of co-conspirators and other individuals engaged in wire and financial institution fraud offenses;
 - c. the timing of communications among co-conspirators and other individuals involved in wire and financial institution fraud offenses; and
 - d. the methods and techniques used in wire fraud offenses.

Search Procedure

15. To facilitate seizure by law enforcement of the records and information described in Attachment B, this affidavit and application for search warrant seek authorization, pursuant to 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), to permit employees of AOL, Inc. to assist agents in the execution of this warrant. In executing this warrant, the following procedures will be implemented:

- a. The search warrant will be presented to AOL personnel who will be directed to the information described in Attachment A;

b. To minimize any disruption of computer service to innocent third parties, AOL employees and/or law enforcement personnel trained in the operation of computers will create an exact duplicate of the information described in Attachment A;

c. AOL employees will provide the exact duplicate in electronic form of the information described in Attachment A and all information stored in those accounts and files to the agent who serves this search warrant; and

d. Following the protocol set out below, law enforcement personnel will thereafter review all information and records received from AOL employees to locate the information to be seized by law enforcement personnel pursuant to Attachment B.

16. With respect to the search of any information and records received from the free web-based electronic mail service provider, law enforcement personnel will locate the information to be seized pursuant to Attachment B according to the following protocol. The search procedure may include the following techniques (the following is a non-exclusive list, and the government may use other procedures that, like those listed below, minimize the review of information not within the list of items to be seized as set forth herein):

a. searching for and attempting to recover any hidden or encrypted data to determine whether that data falls within the list of items to be seized as set forth herein;

- b. surveying various file directories and the electronic mail, including attachments thereto to determine whether they include data falling within the list of items to be seized as set forth herein;
- c. opening or reading portions of electronic mail, and attachments thereto, in order to determine whether their contents fall within the items to be seized as set forth herein, and/or;
- d. performing key word searches through all electronic mail and attachments thereto, to determine whether occurrences of language contained in such electronic mail, and attachments thereto, exist that are likely to appear in the information to be seized described in Attachment B; and
- e. law enforcement personnel will not conduct additional searches on any information beyond the scope of the items to be seized by the warrant.

Conclusion

17. Based on the above information, I respectfully submit that there is probable cause to believe that evidence of violations of Title 18, United States Code, Section 1343 is located within one or more computers and/or servers found at AOL, headquartered at 1065 La Avenida, Building 4, Mountain View, California 94043. By this affidavit and application, I request that this Court issue a search warrant directed to AOL allowing agents to seize the electronic evidence and other information stored on the AOL servers following the search procedure described herein.

FURTHER AFFIANT SAYETH NOT.

s/Mack Walker

Mack Walker
Special Agent, United States
Department of Housing and Urban
Development, Office of Inspector
General

Subscribed and sworn before me
this 24th day of April 2019.

s/Eric I Long

ERIC I. LONG
United States Magistrate Judge

Attachment A

I. Files and Accounts to be Copied by AOL Employees

a. All electronic mail, including attachments thereto, stored and presently contained in, or on behalf of, the following electronic mail address:

pastorlcj@aol.com

which are stored at premises owned, maintained, controlled, or operated by AOL, headquartered at 1065 La Avenida, Building 4, Mountain View, California 94043.

b. All existing printouts from original storage of all the electronic mail described above.

c. All transactional information of all activity of the electronic mail addresses and/or individual accounts described above, including log files, dates, times, methods of connecting, ports, dial-ups.

d. All business records and subscriber information, in any form kept, pertaining to the electronic mail addresses and/or individual accounts described above, including applications, subscribers' full names, all screen names associated with the subscribers and/or accounts, all account names associated with the subscribers, methods of payment, telephone numbers, addresses, and detailed billing records.

e. All records indicating the services available to subscribers of the electronic mail addresses and/or individual accounts described above.

Attachment B

II. Information to be Seized by Law Enforcement Personnel

All information described in Attachment A related to the time period of January 1, 2012, through December 31, 2018, that constitutes evidence concerning violations of Title 18, United States Code, Section 1343, including but not limited to:

Electronic files, including computer source code, computer executable programs, email messages, electronic communications, attachments, and any other electronic files that contain information regarding:

- a. Lifeline Champaign, Inc. Finances;
- b. Lifeline Champaign, Inc. Operations;
- c. Lifeline Champaign, Inc. Employees;
- d. Jericho Missionary Baptist Church Finance;
- e. Jericho Missionary Baptist Church Operations;
- f. Communications with: Kerri Spear or any other individuals on behalf of the City of Champaign Neighborhood Services; and
- g. Communications with Shantea Lee, or any other individuals on behalf of Lifeline Champaign.